

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

February 26, 2009

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED: that the Minutes of the regular meeting of the Common Council held on February 19, 2009 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Valentine; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending February 25, 2009 in the amount of **\$240,710.93** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS

- Report of Fire and Ambulance Responses for the week of February 19-25, 2009
- Report from the Building Inspector's Office from January 26- February 23, 2009
- Report from the Library of cash receipts for the month of January 2009

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

4. AUDITS OF CLAIMS

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the

amount of \$2,907,856.95 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

5. PERSONS ADDRESSING COUNCIL

Don McCleary of 14 Trembley Street said he is concerned that one or more of the candidates being appointed in the Fire Department reside outside the City. McCleary said his background is extensive in public safety. It is a mistake to appoint people who live outside of the city in high positions. The response time is extremely critical.

Mayor Kasprzak said that he believes Emergency Personnel can live outside the city it is a state law.

Corporation Counsel Clute said it's a state statute. Drive by police and fire unions in and around NYC because it is so expensive to live in the city.

Councilor Carpenter asked Clute if we can even appoint someone in the City if they are not as qualified.

Corporation Counsel Clute said we have to choose from the top three from Civil Service. One point in time there was a preference given to City residents.

John Welch said that New York City Police and Fire have to live in New York City to get hired. You (Clute) are given me quote a law from three years ago.

Corporation Counsel Clute said he will check in to it.

Chief Williams said that new firefighters have to live the City for one year.

6. OTHER ITEMS

A. Request from MLD to advertise for Bid No. 2009-3-1 46kV Transmission Line Relocation on Tom Miller Road and I-87.

RESOLVED: In accordance with the request therefore the Common Council approves MLD to advertise for Bid No. 2009-3-1 46kV Transmission Line Relocation on Tom Miller Road and I-87.

By Councilor Kelly; Seconded by Councilor Carpenter
Discussion: None
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. Request from the Center for Women's Concern to hold a march on April 17, 2009 to bring awareness to sexual violence against women and men.

RESOLVED: In accordance with the request therefore the Common Council approves the Center for Women's Concern to hold a march on April 17, 2009 to bring awareness to sexual violence against women and men.

By Councilor Valentine; Second by Councilor Kelly

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. Local Law P1 of 2009: PROVIDING RATES AND REGULATIONS FOR WATER SERVICES AND PROVIDING PROCEDURES FOR THE LEVYING AND COLLECTION OF WATER CHARGES, the entire text of which has been distributed to and read by the members of the Common Council is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Jackson; Second by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. Local Law P2 of 2009: PROVIDING RATES AND REGULATIONS FOR THE USE OF PUBLIC AND PRIVATE SEWER AND DRAINS AND FOR THE LEVYING AND COLLECTION OF SEWER CHARGES, the entire text of which has been distributed to and read by the members of the Common Council is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Kelly; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. Motion to waive Rule 4 "The Mayor hands down the appointment of Captain to Lt. Scott Lawliss effective February 27, 2009" and "The Mayor hands down the appointment of Contingent-Permanent position of Lieutenant to Scott Barshaw effective February 27, 2009."

By Councilor Valentine; Second by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

MAYOR HANDS DOWN THE APPOINTMENT OF CAPTAIN TO LT. SCOTT LAWLISS
EFFECTIVE FEBRUARY 27, 2009.

By Councilor Valentine; Second by Councilor Kelly
Discussion:

Councilor Rabideau asked the reason we are moving this tonight?

Councilor Valentine said there were retirements therefore we have open positions and the spots need to be filled.

Councilor Calnon said we have openings in command positions and someone has to fill them on a temporary basis anyway.

Councilor Kelly asked Chief Williams if he felt we needed to appoint them this quickly and Chief Williams said yes so Kelly said ok.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

MAYOR HANDS DOWN THE APPOINTMENT OF CONTINGENT-PERMANENT POSITION
OF LIEUTENANT TO SCOTT BARSHOW EFFECTIVE FEBRUARY 27, 2009.

By Councilor Valentine; Second by Councilor Carpenter
Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7. TRAVEL REQUESTS

A. Request from Chief Desmond Racicot for Officer Robert Annis to travel to Syracuse, NY on March 5-6, 2009 to attend the "State of New York Police Juvenile Officers Board Meeting" at a cost not to exceed \$95 which will be paid out of the Asset Forfeiture Fund.

RESOLVED: In accordance with the request therefore the Common Council approves Officer Robert Annis to travel to Syracuse, NY on March 5-6, 2009 to attend the "State of New York Police Juvenile Officers Board Meeting" at a cost not to exceed \$95 which will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. RESOLUTIONS FOR INITIAL CONSIDERATION

1. Request from Mackenzie Bola to hold a walk for CHARGE in memory of her beloved son, Jacob D. Bola on June 13, 2009 at 10 a.m. on the Terry Gordon Bike Path.
2. Request from the Adirondack District, Twin Rivers Council, Boy Scouts to hold a Camporee on the Oval from September 11-13, 2009.
3. Request from Donald Duley, Chairman of the Plattsburgh Empire Zone Administrative Board for the Common Council to pass attached resolution.
4. The Mayor hands down the appointment of Captain to Lt. Scott Lawliss effective February 27, 2009.
(Moved to Agenda Item Letter E)
5. The Mayor hands down the appointment of Contingent-Permanent position of Lieutenant to Scott Barshow effective February 27, 2009.
(Moved to Agenda Item Letter E)
6. Request from Chief Desmond Racicot for the approval to contract with Theodore Kowalczyk to provide Grant Writing and Youth Program services to the Plattsburgh Police Department.
7. Request from Chief Desmond Racicot for the approval to contract with the Elmore SPCA for shelter services for stray dogs and cats for 2009.
8. Request from Community Development for the Mayor to be authorized to sign the Intent to Apply for Restore NY Funding.

9. NEW BUSINESS

Mayor Kasprzak said we have an officially MLD meeting after this meeting.

10. CLOSING PUBLIC COMMENTS

None

Motion to Adjourn by Councilor Rabideau; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 5:44 p.m.